

**ENTERED**

July 05, 2016

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

JUAN LEDESMA,

Petitioner,

VS.

WILLIAM STEPHENS,

Respondent.

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CIVIL ACTION NO. 7:15-CV-00460

ORDER ADOPTING REPORT AND RECOMMENDATION

Pending before the Court is Petitioner Juan Ledesma's Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254, which had been referred to the Magistrate Court for a report and recommendation. On April 1, 2016, the Magistrate Court issued the Report and Recommendation, recommending that Respondent's motion for summary judgment be granted, that Petitioner's first three grounds for relief in his § 2254 habeas petition be denied without prejudice as successive, that Petitioner's remaining claim addressing denial of parole be denied, that Petitioner be denied a certificate of appealability, and that this action be dismissed. Petitioner has filed timely objections to the Magistrate Court's Report and Recommendation.

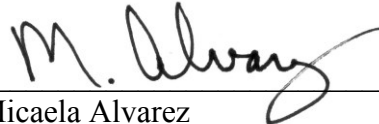
Pursuant to 28 U.S.C. § 636(b)(1)(c), the Court has made a de novo determination of those portions of the report to which objections have been made. As to those portions to which no objections have been made, in accordance with Federal Rule of Civil Procedure 72(b), the Court has reviewed the report for clear error.

Having thus reviewed the record in this case, the parties' filing and the applicable law, the Court adopts the Report and Recommendation in its entirety. Accordingly, it is hereby

ORDERED that Respondent's Motion for Summary Judgment is GRANTED, that Petitioner's first three grounds for relief in his Petition for Writ of Habeas Corpus Pursuant to § 2254 are DENIED without prejudice as successive, that Petitioner's remaining claim addressing denial of parole is DENIED, that Petitioner is denied a certificate of appealability, and that this action is DISMISSED.

IT IS SO ORDERED.

DONE at McAllen, Texas, this 5th day of July, 2016.

A handwritten signature in black ink, appearing to read "M. Alvarez", is written over a horizontal line.

Micaela Alvarez  
United States District Judge